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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,029	07/17/2003	Hiroshi Takizawa	13357-003002	2249
26161	7590	06/13/2006	EXAMINER	
FISH & RICHARDSON PC			TRAN, QUOC A	
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2176

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/622,029

Applicant(s)

TAKIZAWA ET AL.

Examiner

Quoc A. Tran

Art Unit

2176

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 30 May 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 11-18.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

William S. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because:

Applicant's arguments filed after the final rejection on 05/30/2006 have been fully considered but they are not persuasive. Applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

In this case, (Livingston at col. 7, line 60 through col. 12, line 25, provides an Enterprise Architecture Manager (EAM), wherein the EAM uses technologies (including HTML, Dynamic HTML, and Cascading style sheets) to create a dynamic environment on the user's screen that is highly customized for each individual, the EAM includes a navigational "toolbox" that serves as the user's one-stop point of entering commands, wherein depicted in FIG. 1. The typical operation involves a user at one of several client machines 12, 14 and 16, such as a desktop computer, making a request for a page of information in substantially the same way that requests are made over the web using a conventional browser. The request is provided to a web server 18 (using HTML see col. 12, lines 20-25), which requests the needed information from an object server 20. The object server 20 obtains the information from a database server 22 and returns it to the user through the object server 20 and web server 18 where it is displayed to the user (using HTML).

In FIG. 4 shows the operation steps such as, the system can obtain specific preferences from a user's selection in the client (browser) interface, i.e. a link or the toolbox, which will be passed to the object server as parameters to the commands initiated with the script invoked by a user's selection. During this operation, the XML page generator 74 sends out queries requesting information it needs to produce the page. This is accomplished by the page generator 74 sending 63a a request to an XML wrapping process 76 for an XML tree containing the content for the desired page. The page generator 74 also requests 63b special rules from a rules file or database 78 needed to construct the page from the page layout rules. The XML wrapping process 76 queries 64 the content database 79 of the database server 22 for the page content and structure. The database 79 returns 65 the page content and structure information and XML wrapping 76 creates an XML tree with this information. The XML page generator 74 receives the information it previously requested and constructs the XML page. In particular, the generator 74 receives 66a an XML tree with page content and structure from XML wrapping and receives 66b the special layout instructions from page layout rules 78. Rules such as those in a style sheet are incorporated by reference into XML or HTML pages, so they exist separate from the XML or HTML, and the system needs only to know where to find them. The completed XML page is sent 67 to a translator 72 where the XML is translated into HTML and sent 68 to the web server 18. The HTML code is then sent 69a to client 12 where it is merged 69b with an appropriate style sheet;

Using the broadest interpretation, the Examiner read the above in the broadest reasonable interpretation to the claim limitation; wherein the first language and second language format would have been an obvious variant of XML to HTML (translator item 62), to a person of ordinary skill in the art at the time the invention was made; further to include (see Underwood at col. 4 line 40, through col. 5, line 35, also see Fig. 2), provides Universal Content Manager (UCM) hereinafter Definer which act as an assembly for an end user to generate, maintain and customized web page. The Definer includes various modules, including a site provider (Site Definer) for defining the structure, content and embedded applications of a web site, a framework provider (Framework Definer) which provides various layout variations for a web site, an image provider (Image Definer) which allows for the selection and maintenance of various images on a web site, a Project Manager which coordinates the three prior Definer Publishing products to produce a professional multi-dimensional web site solution, and a web provider (Web Definer) which is the end-user tool that allows a user to select various combinations and to edit the web site, also (see Underwood at col. 7, lines 40-60), discloses content is then customized to each user based upon answers to various questions. The answers to these questions generate site-wide variables that set the look and feel of the site. Changing of any of the variables affects the entire site in a cohesive manner, including the addition or removal of industry-based content. A user can therefore generate a customized web site including individual and industry-based content. In addition, the user can edit the textual and graphic content, and can import its own content, including logos and/or graphics and text that the user has previously created from an external database, and further in combination with discloses a web page returning from web server (i.e. web page known as static electronic document (see Livingston at col. 1, lines 39-45), then the content separating into atomic unit that allowing the information to be re-arranging and update (see Livingston at col. 2, lines 4-10), discloses a system that builds the pages users see dynamically, assembling all relevant information components on the fly based on the user's request and further (see Livingston at col. 14, lines 34-67 also see FIG. 9), discloses FIG. 9 shows data structure that appears in the Appendix in a standard tree notation which includes all the content elements necessary (and only those necessary) also includes a recursive element structure (Content can have a Table that has a cell that holds Content); A single dynamic page in the EAM, named EAMdoc 202 contains a single Outline element 204. The Outline element may contain one or more SuperSection elements 206, or one or more Section elements 208; it must have at least one, i.e. and so on... where each Item contains any number of List, Keyword, or Reference elements, or just character data, please also see Fig. 9.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Livingston's teaching, to includes Underwood teaching, wherein (see Underwood at col. 4 line 40, through col. 5, line 35, also see Fig. 2), provides Universal Content Manager (UCM) hereinafter Definer which act as an assembly for an end user to generate, maintain and customized web page. The Definer includes various modules, including a site provider (Site Definer) for defining the structure, content and embedded applications of a web site, a framework provider (Framework Definer) which provides various layout variations for a web site, an image provider (Image Definer) which allows for the selection and maintenance of various images on a web site, a Project Manager which coordinates the three prior Definer Publishing products to produce a professional multi-dimensional web site solution, and a web provider (Web Definer) which is the end-user tool that allows a user to select various combinations and to edit the web site and (see Underwood at col. 11, line 45, through col. 12, line 40, also see Fig. 2), discloses the image Definer provides an interface for a Graphic Designer to create images to match a specific Framework layout and are designed by theme type. The design is based on an image brief provided by the Project Manager, which includes the theme and the quantity of images needed. Preferably, all the image sets are developed with a minimum of 5 image sets per theme and a minimum of 5 Frameworks to have provided a means for displaying the converted display information transmitted from the server in an edit window,

according to a type of the object to be edited, for editing and converted display information wherein the plurality of objects and the plurality of identification information are described in a first language, of Underwood's teaching. One of ordinary skill in the art would have been motivated to modify this combination, because they are from the same field of endeavor of web page of web pages editing in associating with the identify objects to be edit of the web cite and providing a method for reducing cost and easy to use of in-house web editing tool (see Underwood at col. 3, lines 5-20 50) and to provide the advantages of dynamically, assembling all relevant information components on the fly based on the user's request is a dynamic, web-based system, built on a foundation of extensible markup language (XML) and an SQL server database (as taught by Livingston at col. 1, line 45 through col. 2, line 10).

Thus Examiner maintains the rejection under 35 USC 103 (a), Obviousness of claims 11-18 for at least the season set forth above at this time and (see the Final Office Action mailed 02/10/2006 for more detail).

William L. Bashore
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PRIMARY EXAMINER